



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James Paul McCarthy

Serial No.: 09/539,394

Filed: March 31, 2000

For: METHOD AND APPARATUS FOR CONTROLLING THE SPEED  
OF AN ENGINE WITH A HYBRID ELECTRIC VEHICLE

Attorney Docket No.: 199-1452 / FMC 1591 PUS

Group Art Unit: 3618

Examiner: Bridget D. Avery

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**INFORMATION DISCLOSURE STATEMENT**

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Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and § 1.97-1.98, the references listed and identified on the attached Forms PTO/SB08A and SB08B are being submitted herewith for consideration by the Examiner.

The references listed were cited in a European Search Report, dated May 22, 2001; the Search Report is also enclosed. One reference, U.S. Patent No. 5,433,282, was previously submitted and considered by the Examiner.

While this Statement is being filed in compliance with the duty of disclosure, citation of the attached references is not to be construed as an admission that any of the reference(s) are "material" as defined under 37 C.F.R. § 1.56(b).

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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Date of Deposit

Marc F. Malooley  
Name of Person Signing

  
Signature

A copy of each reference listed on the attached Forms PTO/SB08A and SB08B is included herewith. Consideration and entry into the record of these references is respectfully requested.

Respectfully submitted,

James Paul McCarthy

By: Marc F. Malooley  
Marc F. Malooley  
Reg. No. 50,624  
Attorney/Agent for Applicant

Date: September 19, 2003

**BROOKS KUSHMAN P.C.**  
1000 Town Center, 22nd Floor  
Southfield, MI 48075-1238  
Phone: 248-358-4400  
Fax: 248-358-3351